

# PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <https://dnrc.mt.gov/Water-Resources/Water-Rights/>.

**OBJECTION DEADLINE: OCTOBER 2, 2023.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978 FAX: 406-247-4416 PHONE: 406-247-4415.

**Application Number:** 42KJ 30160243

**Applicant:** L EDWARD GALLUP  
1778 GALLUP RD  
CHAPEL HILL, NC 27517  
TREASURE COUNTY CONSERVATION DIST  
PO BOX 288  
HYSHAM, MT 59038

**WATER RIGHT NUMBER(S) BEING CHANGED**

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
CONSERVATION DISTRICT RECORD	42KJ 30159381	DECEMBER 15, 1978

**PAST USE OF WATER**

THERE IS NO PAST USE OF WATER BECAUSE THE WATER BEING CHANGED IN THIS APPLICATION IS A PORTION OF THE TREASURE COUNTY CONSERVATION DISTRICT WATER RESERVATION FOR FUTURE IRRIGATION DEVELOPMENT BY THE CONSERVATION DISTRICT.

**PROPOSED CHANGE**

THE TREASURE COUNTY CONSERVATION DISTRICT PROPOSES TO ADD A POINT OF DIVERSION AND PLACE OF USE TO THE TREASURE COUNTY CONSERVATION DISTRICT WATER RESERVATION (42KJ 10003-00). THE APPLICANT PROPOSES TO ADD 61 AC TO THE PLACE OF USE. THE NEW PLACE OF USE IS IN W2 SECTION 12, T5N, R34E, TREASURE COUNTY. WATER WILL BE DIVERTED FROM THE YELLOWSTONE RIVER VIA PUMP FROM A POINT OF DIVERSION IN GOVT LOT 8 IN THE NWSWSW SECTION 12, T5N, R34E, AT 1.34 CFS UP TO 185.4 AF FROM APRIL 1 TO SEPTEMBER 30.

**ADDITIONAL INFORMATION**

WATER MEASUREMENT-MEETS CONSERVATION DISTRICT REQUIREMENT  
THIS RIGHT IS SUBJECT TO THE TYPE OF WATER USE MEASURING DEVICE OR WATER USE ESTIMATION TECHNIQUE REQUIRED BY THE CONSERVATION DISTRICT. THE APPROPRIATOR SHALL KEEP WRITTEN RECORDS OF THE FLOW RATE AND VOLUME OF WATER USED. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF THE CHANGE. THE RECORDS MUST BE SENT TO THE WATER RESOURCES REGIONAL OFFICE. THE WATER USER SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

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